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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,163	01/04/2005	Frank Volke	6465/PCT	5611
6858	7590	07/07/2006	EXAMINER FETZNER, TIFFANY A	
BREINER & BREINER, L.L.C. P.O. BOX 19290 ALEXANDRIA, VA 22320-0290			ART UNIT 2859	PAPER NUMBER

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p align="center">10/520,163</p>	<p>Applicant(s)</p> <p align="center">VOLKE ET AL.</p>	
	<p>Examiner</p> <p align="center">Tiffany A. Fetzner</p>	<p>Art Unit</p> <p align="center">2859</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date <u>01/04/2005</u>.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|--|---|

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on January 4th 2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

A) Figure 3 shows a component "15" which is not described in the written description of **Figure 3** on page 8 lines 7-15.

B) Figure 3 shows a component "B₀" which is not described in the written description of **Figure 3** on page 8 lines 7-15.

C) Figure 2 shows a component "11" which is not described in the written description of **Figure 2** on page 7 line 1 through page 8 line 5.

D) Figure 2 shows a component "B₀" which is not described in the written description of **Figure 2** on page 7 line 1 through page 8 line 5.

4. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are also objected to because

A) the “blank box” component **13** of **figure 3** should be labeled as “conveyor device” as taught on **page 8 in lines 9 and 11** of applicant’s original specification.

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

7. The disclosure is objected to because of the following informalities:

A) There are numerous words in the specification, which have stray spaces within the words. Some **examples of this error, (but not all)** include:

A1) page 8 line 8 [See “t he” which should be “the”]

A2) page 5 line 6 [See “s ample” which should be “sample”]

A3) page 5 line 6 [See “e nd” which should be “end”]

A4) page 5 line 6 [See “i ntroduced” which should be “introduced”]

A5) page 5 line 4 [See “l ine” which should be “line”]

A6) page 4 line 14 [See “p ermits” which should be “permits”]

A7) page 3 line 28 [See “o riented o rthogononally o n” which should be “oriented orthogonally on”]

A8) page 3 line 26 [See “s upport” which should be “support”]

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A9) page 2 line 5 [See "p ermits a n a utomated" which should be "permits an automated"]

A10) page 2 lines 5-6 [See "s everal s amples" which should be "several samples"]

B) Applicant should correct these "stray space" errors and thoroughly review the originally filed specification in order to correct these "stray space" errors everywhere in the specification where it occurs. Appropriate correction is required.

8. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise **one paragraph of 150 words or less** statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

9. **Claims 27 and 28** are objected to under 37 CFR 1.75(c) as being in improper form because they are multiple dependent, from alternative only multiply dependent **claim 26**. See MPEP § 608.01(n). For purposes of applying art, **claims 27 and 28** are being examined, by the examiner, as if they depend from **claim 15** through **claim 26**, since **claim 15** is the independent claim from which **claim 26** depends.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. **Claims 15, 18-24, and 26-28** are rejected under **35 U.S.C. 103(a)** as being unpatentable over **Bartuska** US patent 5,146,166 issued September 8th 1992, which was cited on applicant's January 4th 2005 information disclosure statement.

14. With respect to **Claim 15**, **Bartuska** shows and suggests from the figures and teachings of the **Bartuska** reference a "Probe head" (i.e. the analysis area 12 of figures 1 and 2, where the NMR measurements are performed), "for NMR measurements in a magnetic system", [See figures 1, and 2; col. 3 line 14 through col. 10 line 57; and the abstract.] "comprising a bore extending in parallel with a base magnetic field for

receiving the probe head" [See the bore, which begins b upper opening 6 and passes through the analysis area 12 to the lower opening 7], "wherein the probe head includes a support body" (i.e. guide tube 3) "carrying at least one solenoid coil as measuring coil" (i.e. see figures 1 and 2 where the analysis area is defined by the alternating and vertically offset, (i.e. the solenoid) coil windings that are shown to extend at least partially about the sample container 2, and supported upon the exterior of guide tube 3 within the bore, as the means for performing/receiving the NMR analysis signals;) [See also col. 3 lines 58-66, col. 6 lines 11-19] **Bartuska** also teaches shows and suggests, from figures 1 and 2, "the use of a feed line" (i.e. the shaft/bore from upper opening 6 through the magnetic resonance automatic sample changing spectrometer bore) "towards the solenoid coil" (i.e. the alternating and vertically offset coil, (i.e. the solenoid shaped coil) shown in the figures around guide tube 3, and about sample tube 2, within the analysis region 12)) "via which a sample material" (i.e. sample tube 2 containing the sample to be analyzed) "can be introduced into a measuring volume surrounded by said solenoid coil" (i.e. region 12), "wherein said feed line is configured for receiving and conveying sample containers through said measuring volume". [See figures 1 and 2 in combination.]

15. The **Bartuska** reference, lacks a direct written teaching that the represented coil windings of figures 1 and 2 are explicitly from a solenoid coil, however figure 2 clearly shows that the profiled windings alternate from side-to-side, with a vertical offset that is directly suggestive of solenoid shaped coil windings. Figures 1 and 2 also depict the interior of the device, without showing the intrinsic windings, which must necessarily extend about the front and sides, of the analysis area, in order to clearly show the sample tube clearly illustrated as it passes through the analysis measurement volume 12. It would have been obvious to one of ordinary skill in the art at the time that the invention was made, that the coil windings shown in figures 1 and 2 are of a solenoid type, on the exterior of the guide tube 3 and surround the analysis area 12 through which sample tube 2, necessarily passes, because of the illustrations of figures 1 and 2 provided, represent an interior view.]

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16. With respect to **Claim 18**, **Bartuska** teaches that "said feed line is configured for receiving a plurality of sample containers disposed in succession." [See col. 9 lines 43-65.] The same reasons for rejection, and obviousness, that apply to **claim 15** also apply to **claim 18** and need not be reiterated.

17. With respect to **Claim 19**, **Bartuska** teaches and shows that "said feed line is connected to a conveying mechanism" (i.e. motion of storage rack 4 indicated by the arrow in figures 1 and 2; the vertical drop; gravity; optical sensor 20; and the retraction or support of components 13a and 13b) "permits stepwise conveyance of said sample containers" (i.e. sample containers 2) "in said feed line". [See figures 1 and 2 in combination, the abstract, and col. 1 line 7 through col. 10 line 57 in general as this limitation is explained as a detailed series of steps throughout the reference.] The same reasons for rejection, and obviousness, that apply to **claim 15** also apply to **claim 19** and need not be reiterated.

18. With respect to **Claim 20**, **Bartuska** teaches and shows that "said conveying mechanism" (i.e. motion of storage rack 4 indicated by the arrow in figures 1 and 2; the vertical drop; gravity; optical sensor 20; and the retraction or support of components 13a and 13b) "provides said conveyance by pressing a propelling agent" (i.e. air and the displacement of air via the use of the sample tube being vertically displaced by falling through gravity) "into said feed line". [See figures 1 and 2 in combination, the abstract, and col. 1 line 7 through col. 10 line 57 as how the **Bartuska** device functions to use air and gravity in a novel manner for changing magnetic resonance samples automatically is explained as a detailed series of steps throughout the reference.] The same reasons for rejection, and obviousness, that apply to **claim 15** also apply to **claim 20** and need not be reiterated.

19. With respect to **Claim 21**, **Bartuska** shows that "said sample containers" (i.e. component 2) "are constructed and arranged for complete introduction into said measuring volume" [See figures 1 and 2 in combination.] The same reasons for rejection, and obviousness, that apply to **claim 15** also apply to **claim 21** and need not be reiterated.

20. With respect to **Claim 22**, **Bartuska** lacks an exact verbatim teaching that the "said sample containers are constructed and arranged for receiving a maximum sample volume of ≤ 1 ml.", because the **Bartuska** reference is silent as to the size of the sample volume of each of the sample tubes 2, as well as silent to the size of the analysis zone 12, and the size of the sample tube itself. However, conventionally NMR spectrometer devices are known to be used to analyze samples having a volume from within the nano / pico (i.e. 10^{-9} , 10^{-12}) liter range, through the range of multiple cm^3 , depending upon the situation and the MR application desired. Additionally, because the use of micro, nano, or pico liter size sample tubes, or the use of 1mL., or 5 cm^3 sample tubes is a design choice, it would have been obvious to one of ordinary skill in the art at the time that the invention was made that to have "said sample containers constructed and arranged for receiving a maximum sample volume of ≤ 1 ml.", in those MR spectroscopic application situations where the desired sample size is not greater than 1ml to start with, because the ability to examine samples > 1 ml., would not be necessary, and including an unnecessary size sample volume would not be cost effective. Therefore, It would have been obvious to one of ordinary skill in the art at the time that the invention was made that **Bartuska** the reference has no specific size of the sample volume set forth, that any desirable maximum sample volume, may be utilized within the scope of the **Bartuska** reference. The same reasons for rejection, and obviousness, that apply to **claim 15** also apply to **claim 22** and need not be reiterated.

21. With respect to **Claim 23**, **Bartuska** shows that "said feed line is passed from a receiving opening of said probe head for said sample containers through said measuring volume to a discharge opening of said probe head for said sample containers." [See figures 1 and 2 in combination.] The same reasons for rejection, and obviousness, that apply to **claim 15** also apply to **claim 23** and need not be reiterated.

22. With respect to **Claim 24**, **Bartuska** shows that "said feed line is of a tubular configuration. [See figures 1 and 2 in combination.] The same reasons for rejection, and obviousness, that apply to **claim 15** also apply to **claim 24** and need not be reiterated.

23. With respect to **Claim 26**, **Bartuska** teaches and shows a "Method of operating the probe head according to any one of claims 15-25, comprising charging the sample material into a sample container, introducing said sample container into said feed line and conveying in said feed line in a conveying direction to said measuring volume, and, after measurement, conveying via said feed line along the conveying direction said sample container out of said measuring volume." [See figures 1 and 2 in combination, the abstract, and col. 1 line 7 through col. 10 line 57 as the methodology of how the **Bartuska** device functions to insert and remove magnetic resonance samples in a novel manner automatically is explained as a detailed series of steps throughout the reference.] The same reasons for rejection, and obviousness, that apply to **claims 15, 18, 19, 20, 21, 23, and 24** also apply to **claim 26** and need not be reiterated.

24. With respect to **Claim 27**, **Bartuska** teaches and shows that "said sample container" (i.e. component 2) "is conveyed by a propelling agent" (i.e. air and the displacement of air via the use of the sample tube being vertically displaced by falling through gravity) "in said feed line". [See figures 1 and 2 in combination, the abstract, and col. 1 line 7 through col. 10 line 57 as how the **Bartuska** device functions to use air and gravity in a novel manner for changing magnetic resonance samples automatically is explained as a detailed series of steps throughout the reference.] The same reasons for rejection, and obviousness, that apply to **claims 15, 18, 19, 20, 21, 23, 24 and 26** also apply to **claim 27** and need not be reiterated.

25. With respect to **Claim 27**, **Bartuska** teaches and shows that "a plurality of said sample containers containing same or different sample materials are introduced in succession into said feed line and are subsequently conveyed together in steps in said feed line for measuring each in succession." [See col. 1 lines 3-28; col. 9 lines 43-65, figures 1 and 2 in combination, and the entire reference in general.] The same reasons for rejection, and obviousness, that apply to **claims 15, 18, 19, 20, 21, 23, 24 and 26** also apply to **claim 28** and need not be reiterated.

26. **Claims 16, 17, and 25** are rejected under **35 U.S.C. 103(a)** as being unpatentable over **Bartuska** US patent 5,146,166 issued September 8th 1992; as

applied to **claims 15, 18-21, 23, 24, and 26-28** above, and further in view of **Gilderdale et al.**, US patent 5,876,338 issued March 2nd 1999.

27. With respect to **Claim 16**, **Bartuska** lacks directly teaching or showing that the "at least one solenoid coil" (i.e. of analysis section 12) "is detachably connected to said support body" (i.e. component 3). Because **Bartuska** is silent as to whether or not the coil is detachable or fixed. The examiner interprets the **Bartuska** reference as including within its scope either a fixed or a detachable coil. Additionally **Gilderdale et al.**, teaches and shows that the limitation of having "at least one solenoid coil" being "detachably connected to said support body" of a probe head in a magnetic resonance device, is a limitation that is already established for magnetic resonance compatible probes, which perform measurements on one or more, same or different samples, because it enhances probe utility and reduces replacement costs. [See the **Gilderdale et al.**, abstract, figures 1-4 and col. 1 line 5 through col. 5 line 40; where **Gilderdale et al.**, teaches and shows an MR compatible endoscope has an associated MR saddle coil 10 mounted on a removable former 9, and that the tip 2 of the MR compatible endoscope (i.e. a portable MR probe head) which has the usual service channels for imaging enabling easy repair and the use of a range of coils in order to accommodate different magnetic field strengths.] It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify **Bartuska** reference which shows solenoid coil about an exterior support body guide tube 3, with the "replaceable coil" teaching of **Gilderdale et al.**, in order to simplify the replacement of the measuring coil within analysis area 12, when necessary and reduce replacement costs, since only the coil would need to be replaced if it became damaged, as opposed to the entire automatically sample changing spectrometer. The same reasons for rejection, and obviousness, that apply to **claim 15** also apply to **claim 16** and need not be reiterated.

28. With respect to **Claim 17**, **Bartuska** lacks directly teaching or showing that the "support body" (i.e. **Bartuska** guide tube 3) "and said at least one solenoid coil" (i.e. the coil of **Bartuska** analysis section 12) "are detachably connected by a plug-and-socket connector. However, **Gilderdale et al.**, teaches and shows that the limitation of having the "support body" (i.e. **Gilderdale et al.**, former 9) "and said at least one solenoid coil"

(i.e. the MR saddle coil 10 of **Gilderdale et al.**,) “detachably connected by a plug-and-socket”, is an established limitation, that is known but is not needed in the **Gilderdale et al.**, invention. [See **Gilderdale et al.**, col. 1 line 65 through col. 2 line 3, and the **Gilderdale et al.**, abstract.]The examiner notes that the ability to ‘avoid the need’ for plugs and sockets, implies and is a direct suggestion by **Gilderdale et al.**, that the coupling of a removable coil to the endoscopic MR compatible probe device, via plugs and sockets, is already established and recognized a common feature within the art. The **Gilderdale et al.**, invention improves upon established and known plug and socket connectors in MR probe devices by using an inductive coupling of the removable coil, instead of the known plug and socket technique. [See **Gilderdale et al.**, col. 1 line 65 through col. 2 line 3.] It would have been obvious to one of ordinary skill in the art at the time that the invention was made that the coil of **Bartuska**, which may be either fixed or detachable for the reasons noted in the rejection of **claim 16** above, could also be removed and exchanged with another coil, as noted in the **Gilderdale et al.**, abstract and reference, “via a plug-and-socket” connection, because the use of an exchangeable “plug-and-socket” is already known as a means by which different coils can be activated by the same power source. The same reasons for rejection, and obviousness, that apply to **claims 15, 16** as well as the motivation to combine that applies to **claim 16** also apply to **claim 17** and need not be reiterated.

29. With respect to **Claim 25**, **Bartuska** lacks directly teaching or showing “a plurality of solenoid coils of different size which are connected to said support body in alternation.” However, **Gilderdale et al.**, teaches and shows that the limitation of having “a plurality of solenoid coils of different size which are connected to said support body” (i.e. the coil former 9) “in alternation” [See the **Gilderdale et al.**, abstract, col. 1 line 48-64; col. 2 lines 52-59; col. 3 lines 51-60; col. 4 lines 16-28; col. 5 lines 36-41], is a known limitation enabling a range of coils, to be fitted to MR probe structure, in order to easily accommodate different magnetic field strengths. [See the **Gilderdale et al.**, abstract.] Because the **Bartuska** reference analyzes a significant number of ‘similar’ (i.e. either the same / identical, or different / not identical), samples consecutively, and has each sample tube enter the analysis area individually, [See **Bartuska** col. 1 lines 3-28], it

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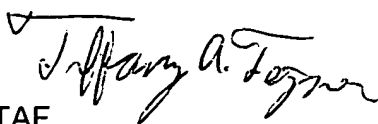
would have been obvious to one of ordinary skill in the art at the time that the invention was made that the ability to interchange / exchange the coil of the analysis area 12 with one of "a plurality of solenoid coils of different size which are connected to said support body" (i.e. guide tube 3), as in the portable endoscopic MR probe device of **Gilderdale et al.**, would enable the **Bartuska** sample changing MR probing spectrometer to be used on the same plurality of samples at different field strengths, without requiring a whole series of separate MR sample changing spectrometer device to be constructed, for each magnetic field strength for which an analysis is desirable, increasing both the utility, and versatility of the **Bartuska** invention. The same reasons for rejection, and obviousness, that apply to **claims 15, 16**, as well as the motivation to combine that applies to **claim 16** also applies to **claim 25** and need not be reiterated.

Conclusion

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany Fetzner whose telephone number is: (571) 272-2241. The examiner can normally be reached on Monday-Thursday from 7:00am to 4:30pm., and on alternate Friday's from 7:00am to 3:30pm.

31. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez, can be reached at (571) 272-2245. The **only official fax phone number** for the organization where this application or proceeding is assigned is **(571) 273-8300**.

32. Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PMR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TAF
July 1, 2006


Diego Gutierrez
Supervisory Patent Examiner
Technology Center 2800